

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
THURSDAY, MAY 5, 2011
TRIBAL OFFICE BOARDROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Randal Chevalier, Tribal Chairman
Myrna R. Warrington
Rebecca D. Alegria
Craig A. Corn
Lisa S. Waukau
Bruce J. Pecore
Orman D. Waukau Jr
David A. Miller
Laurie A. Boivin

1. Call to Order – Roll Call.

Chairman Chevalier called the meeting to order at 5:00 P.M. Roll call was taken and a quorum was present.

2. Menominee Prayer.

Legislator O. Waukau said the Menominee Prayer.

3. Public Comment Period.

Tribal member and Food Distribution Director, Patricia Roberts – Community Garden: “She requested a portion of the Krizan property to develop a community garden for the community to receive healthy foods to combat health diseases; such as, diabetes, etc.”

4. Menominee Language and Culture Code Commission Recommendation of March 9, 2011.

MOTION BY LAURIE BOIVIN TO CONCUR WITH THE RECOMMENDATION OF THE MENOMINEE LANGUAGE AND CULTURE COMMISSION OF MARCH 9, 2011 TO RECOMMEND MARGARET SNOW TO REPRESENT ON THE 2011 POW-WOW BOARD. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

5. Appointment to the Menominee Indian Economic Development Authority Board of Directors.

The Legislature voted by ballots and the results were as follows: **Sean P. Harte – 4; Antoine C. Chevalier – 4; James E. Horton – 1; and Michael Koran – 0.**

Because there was a tie vote between Sean Harte and Antoine Chevalier, the Legislature voted a second time and the results were as follows: **Sean P. Harte – 4 and Antoine C. Chevalier – 5.**

Antoine C. Chevalier was appointed to the MIEDA Board, and his term will be decided at the first re-organizational meeting, which could range from 1 – 3 years.

MOTION BY MYRNA WARRINGTON TO APPOINT ANTOINE C. CHEVALIER TO THE MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS (MAY 5, 2011 – MAY 5, 2012). SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

The two (2) community members currently on the MIEDA Board terms are ending on May 20, 2011.

MOTION BY REBECCA ALEGRIA TO POST FOR TWO (2) POSITIONS ON THE MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTOR'S (MIEDA) AND EXTEND THE TWO (2) COMMUNITY BOARD MEMBERS FOR FORTY-FIVE (45) ADDITIONAL DAYS. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

6. Bid Recommendation for Transportation Maintenance Utility Truck.

MOTION BY BRUCE PECORE TO AWARD THE TRANSPORTATION MAINTENANCE UTILITY TRUCK TO L & S TRUCK CENTER FOR \$78,689 AS BID INCLUDING EXTENDED WARRANTY AND MONROE EQUIPMENT PACKAGE. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0

ABSTENTIONS, AND 0 ABSENT.

7. National Indian Council on Aging, Inc. Contribution Request.

MOTION BY LAURIE BOIVIN THAT THE NATIONAL INDIAN COUNCIL ON AGING (NICOA) REQUEST BE SENT TO THE BUDGET AND FINANCE COMMITTEE FOR REVIEW AND RECOMMENDATION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

8. Menominee Veterans Princess Donation Request.

MOTION BY REBECCA ALEGRIA TO APPROVE \$500 FOR CHYNNIA PECORE (*MENOMINEE VETERANS PRINCESS*) TO ACCOMPANY THE GOLD STAR MOTHER AND JOHNNY REITER WORLD WAR II VETERAN FOR HER TRIP TO WASHINGTON, DC IN MAY 2011 TO COME FROM THE FOUND MONIES FOR THE YOUTH. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

9. NCAI 2011 Mid-Year Conference Local Planning Committee Monetary and Contribution Request.

The Legislature held discussions on the NCAI Local Planning Committee's request, and opted not to authorize any of the requests due to the costs involved and the Tribe going into cost containment at the end of the month.

10. Request to Send Neopit Boxing Club to NCAI Youth Summit.

MOTION BY BRUCE PECORE TO SEND 4 – 5 MEMBERS FROM THE NEOPIT BOXING CLUB TO ATTEND THE NCAI MID-YEAR CONFERENCE THE HALF-DAY YOUTH SUMMIT ON JUNE 13, 2011 BETWEEN 1:00 – 4:00 PM IN MILWAUKEE, WI, AND THE TRIBE FIRST CHECK TO SEE IF THERE IS A SCHOLARSHIP FROM THIS ORGANIZATION THE CENTER OF NATIVE AMERICAN YOUTH; IF NOT THEN THE TRIBE WOULD PAY FOR IT THROUGH THE YOUTH ACTIVITIES UNFOUND MONIES, AND PAY A STIPEND FOR GERALD “JOE SWEDE” WAYKA SR. TO TAKE THE BOXING CLUB YOUTH DOWN THERE. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

11. Approval of Menominee Chamber of Commerce, Inc. Membership Dues.

MOTION BY MYRNA WARRINGTON TO APPROVE THE \$1,500 ANNUAL MEMBERSHIP FEE TO THE MENOMINEE CHAMBER OF COMMERCE INC. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 2 ABSTENTIONS (ALEGRIA & O. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator's Alegria and O. Waukau did not qualify their abstentions.

12. Re-Affirm Poll Vote of April 28, 2011.

MOTION BY REBECCA ALEGRIA TO RE-AFFIRM THE POLL VOTE OF THURSDAY, APRIL 28, 2011. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 2 OPPOSED (BOIVIN & WARRINGTON), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: *“I voted no on this when I was called, because I don't think we're ready for any legal expenditures at this time we don't even have a final document yet, and it's still in the works. We have Chris' (Caldwell) memo that we have to review tonight and if we want to review this we should have done this after, and not now.”*

Legislator Boivin qualified her opposition as follows: *“I'm going to stick with my original opposition reason, I wasn't comfortable with the motion I felt it was too broad, it should have been more specific with particular issues regarding the FMP that we would have been discussing, and we had just had a joint meeting and this was not a part of that joint meeting.”*

13. Request Approval to Sign Letters to Oppose Senate Bill 771, Tribal Gaming Eligibility Act.

MOTION BY REBECCA ALEGRIA TO AUTHORIZE MENOMINEE TRIBAL CHAIRMAN RANDAL CHEVALIER TO SIGN THE LETTERS REGARDING TO OPPOSE SENATE BILL 771 TRIBAL GAMING ELIGIBILITY ACT AND SEND TO THE HONORABLE DANIEL INOUE, SENATE COMMITTEE ON APPROPRIATIONS CHAIRMAN; THE HONORABLE DANIEL AKAKA, SENATE COMMITTEE ON INDIAN AFFAIRS; SENATOR HERB KOHL; AND SENATOR RON JOHNSON. SECOND WAS MADE BY CRAIG CORN.

PLEASE NOTE: The motion was withdrawn for confidential purposes.

14. Approval of Implementation Plan for the 36-Hour Work Week.

MOTION BY LISA WAUKAU TO APPROVE THE IMPLEMENTATION PLAN FOR THE 36-HOUR WORK WEEK (MAY 22, 2011 – SEPTEMBER 24, 2011) AS PRESENTED. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (O. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator O. Waukau qualified his abstention as follows: *“I’d heard and I understand the situation, but hearing from our members that are working on the low end of the payroll it’s a serious hit, and so I think we need to start looking at other avenues to prevent this from happening in the future.”*

15. Menominee Indian Economic Development Authority Update.

MIEDA Chairman, Bruce Pecore updated the Legislature on the projects they are currently working on. The suggestions conveyed will be discussed further during Executive Session.

16. Resolution No. 11-27 Resolution to Approve the 2011 FMP.

MOTION BY MYRNA WARRINGTON TO *TABLE* RESOLUTION NO. 11-27 (RESOLUTION TO APPROVE THE 2011 FOREST MANAGEMENT PLAN). SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

17. Resolution No. 11-___ Contracting with United States Department of Interior – Bureau of Indian Affairs.

MOTION BY REBECCA ALEGRIA TO ADOPT MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 11-28 CONTRACTING WITH UNITED STATES DEPARTMENT OF INTERIOR – BUREAU OF INDIAN AFFAIRS, WAIVE THE READING, AND AUTHORIZE THE CHAIRMAN AND SECRETARY TO SIGN. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

18. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

MOTION BY MYRNA WARRINGTON TO ENTERTAIN AGENDA ITEM NUMBER 18 “OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:” - 1) AMENDMENTS TO CRIPPLE OUR 8A (NATIVE PROGRAM); 2) EXTEND TRIBAL PROSECUTOR’S POSITION; 3) ADD TO THE AGENDA UNDER EXECUTIVE SESSION 32 (A) LEGAL (8) TRIBAL PROSECUTOR UPDATES; 4) MEI ISSUE IN EXECUTIVE SESSION; 5) PROPERTY PURCHASE MIEDA BOARD ISSUE IN EXECUTIVE SESSION; 6) REQUEST FOR KRIZAN PROPERTY FOR GARDENING PURPOSES; & 7) LMIIC PROCLAMATION. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

1) Amendments to Cripple Our 8a (Native Program);

MOTION BY BRUCE PECORE TO HAVE THE CHAIRMAN SIGN THIS AND HAVE IT SENT OUT TO THE NOTED PEOPLE ON THE LETTER WITH NOTED CHANGES. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) EXTEND TRIBAL PROSECUTOR'S POSITION;

This issue will be heard in Executive Session.

3) ADD TO THE AGENDA UNDER EXECUTIVE SESSION 32 (A) LEGAL (8) TRIBAL PROSECUTOR UPDATES;

This issue will be heard in Executive Session.

4) MEI ISSUE IN EXECUTIVE SESSION;

This issue will be heard in Executive Session.

5) PROPERTY PURCHASE MIEDA BOARD ISSUE IN EXECUTIVE SESSION;

This issue will be heard in Executive Session.

6) REQUEST FOR KRIZAN PROPERTY FOR GARDENING PURPOSES; &

The Director of Food Distribution, Patricia Roberts requested the Krizan Property by Area 47 to use for a community garden. This issue will be heard in Executive Session.

7) LMIIC PROCLAMATION.

MOTION BY MYRNA WARRINGTON THAT WE APPROPRIATE \$75,000 FROM THE POW-WOW FUNDS FOR THE PREPARATIONS OF THE WOODLAND BOWL, AND THAT THE MONEY BE PUT BACK IN THERE BEFORE THE AUGUST POW-WOW. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 5 FOR, 4 OPPOSED (ALEGRIA, BOIVIN, PECORE, & L. WAUKAU), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Chairman Chevalier voted in favor of the motion to break the tie.

Legislator Alegria qualified her opposition as follows: *"This is a very high price tag for 90 minutes. I would agree a split between different tribal entities and agencies. Do we do this for our own Menominee Indian High School Graduation? No!"*

Legislator's Boivin, Pecore, and L. Waukau did not qualify their oppositions.

MOTION BY REBECCA ALEGRIA TO APPROVE THE PROCLAMATION FOR THE "LET'S MOVE IN INDIAN COUNTRY." WAIVE THE READING UNTIL THE DAY OF, AND AUTHORIZE CHAIRMAN CHEVALIER TO SIGN. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

19. 10-Day Waiver Request(s).

There were no 10-day waiver request(s) made at this time.

20. 1ST Consideration of Amendment to Ordinance No. 01-17 Canceling Residential Lease Request.

MOTION BY REBECCA ALEGRIA TO ADOPT 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE NO. 01-17 CANCELING RESIDENTIAL LEASE REQUEST, AND SEND TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

21. 1ST Consideration of Amendment to Ordinance No. 95-04 Tribal Government Plan.

MOTION BY REBECCA ALEGRIA TO ADOPT 1ST CONSIDERATION OF MENOMINEE TRIBAL LEGISLATURE

AMENDMENT TO ORDINANCE NO. 95-04 TRIBAL GOVERNMENT PLAN, AND SEND TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

22. 1ST Consideration of Ordinance No. 11-04 Residential Lease Requests (*Menominee Tribal Housing Limited Partnership # 8*).

MOTION BY REBECCA ALEGRIA TO *TABLE* 1ST CONSIDERATION OF ORDINANCE NO. 11-04 RESIDENTIAL LEASE REQUEST. (*MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIP # 8*). SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

23. 1ST Consideration of Ordinance No. 11-___ Program Lease Request (*Menominee Tribal Utilities Lagoon Site-Neopit*).

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF MENOMINEE TRIBAL ORDINANCE NO. 11-10 PROGRAM LEASE REQUEST, AND SEND TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. (*MENOMINEE TRIBAL UTILITIES LAGOON SITE-NEOPIT*) SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

24. 1ST Consideration of Ordinance No. 11-___ Residential Lease Requests.

MOTION BY BRUCE PECORE TO APPROVE 1ST CONSIDERATION OF MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 11-11 RESIDENTIAL LEASE REQUESTS, AND MOVE TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

25. 1ST Consideration of Ordinance No. 11-___ Recreational Lease Requests.

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF MENOMINEE TRIBAL ORDINANCE NO. 11-12 RECREATIONAL LEASE REQUESTS, AND SEND TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

26. 1ST Consideration of Ordinance No. 11-___ Approval of Certain Actions Including Dispute Resolution Regarding Menominee Tribal Housing Limited Partnerships # 7 and # 8.

MOTION BY REBECCA ALEGRIA TO ADOPT 1ST CONSIDERATION OF MENOMINEE TRIBAL ORDINANCE NO. 11-13 APPROVAL OF CERTAIN ACTIONS INCLUDING DISPUTE RESOLUTION REGARDING MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIPS #7 AND #8, AND SEND TO PUBLIC HEARING ON MAY 19, 2011 AT 4:30 P.M. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

27. Final Approval of Amendment to Ordinance No. 99-01 Conservation Code.

MOTION BY LISA WAUKAU FOR FINAL APPROVAL OF AMENDMENT TO ORDINANCE NO. 99-01 CONSERVATION CODE. SECOND WAS MADE BY CRAIG CORN

PLEASE NOTE: This motion was withdrawn due to the grammatical errors that still existed in the Ordinance; in addition, some areas of the Ordinance still need to be addressed and/or corrected within sections 4.01; 4.04; 4.41; 5.03; 5.12; and 5.14.

MOTION BY LISA WAUKAU TO *TABLE* FINAL APPROVAL OF AMENDMENT TO ORDINANCE NO. 99-01 CONSERVATION CODE, AND INCLUDE ALL OF THE NOTABLE CHANGES. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

28. Legislative Time on Task Reports.

The Legislative Time on Task Reports did not require any action at this time.

29. Travel Authorization Requests.

MOTION BY LAURIE BOIVIN TO AUTHORIZE THE TRIBAL CHAIRMAN RANDAL CHEVALIER TO ATTEND THE GLITC MEETING ON MAY 12, 2011 IN MOLE LAKE, WI. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO AUTHORIZE TRAVEL FOR LEGISLATOR ORMAN WAUKAU TO ATTEND THE WISCONSIN WOLF RIVER TOURISM CONFERENCE & FILM FESTIVAL ON MAY 12 – 13, 2011 IN MOLE LAKE, WI. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO APPOINT LEGISLATOR BRUCE PECORE TO ATTEND THE LONG TERM PLAN FOR DETENTION AND ALTERNATIVES TO INCARCERATION ON MAY 10-12, 2011 IN SCOTTSDALE, AZ WITH THE DEPARTMENT OF JUSTICE TO PROVIDE A SCHOLARSHIP. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 5 FOR, 3 OPPOSED (BOIVIN, D. MILLER, & WARRINGTON), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Boivin qualified her opposition as follows: *“my concern is 100% of the cost that a Legislator may incur may not be fully covered by a scholarship.”*

Legislator Warrington qualified her opposition as follows: *“I would hope there are programs in WI that you could get this information from rather than running way half across the country.”*

Legislator Miller did not qualify his opposition.

30. Committee Recommendations:

- a) **Menominee Indian Economic Development Authority of March 31, 2011**
 - i. **Request Approval to Post Notice of Intent to Lease.**

MOTION BY BRUCE PECORE CONCUR WITH THE MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY OF MARCH 31, 2011 TO HAVE THE KRIZAN PROPERTY PREVIOUSLY KNOWN AS AREA 47 RESTAURANT BE SENT TO THE TRIBAL LEGISLATURE AS APPROVED BY THE M.I.E.D.A. BOARD AND TO POST NOTICE OF INTENT TO LEASE, AS INDICATED IN SUMMARY SHEET. NO SECOND NECESSARY. *THE MOTION IS DEFEATED*: 3 FOR, 5 OPPOSED (ALEGRIA, BOIVIN, CORN, MILLER, & WARRINGTON), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator's Alegria, Boivin, Corn, Miller, And Warrington did not qualify their oppositions.

- b) **Menominee Indian Economic Development Authority of April 7, 2011**
 - i. **Request Direction on the Wolf River Scenic By-Way Program.**

This request needs further information to be provided, and then come back when that information is available.

- c) **MTL/Menominee County Board Joint Task Force of April 14, 2011**
 - i. **Request Approval of the Consolidated Services Funding Agreement.**

MOTION BY LAURIE BOIVIN TO CONCUR WITH THE MENOMINEE TRIBAL LEGISLATURE AND MENOMINEE COUNTY BOARD JOINT TASK FORCE OF APRIL 14, 2011 TO RECOMMEND APPROVAL TO THE MENOMINEE TRIBAL LEGISLATURE THE MENOMINEE COUNTY AND TOWN OF MENOMINEE AMENDMENT TO CONSOLIDATED SERVICES FUNDING AGREEMENT FOR SECTION 1.4. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- d) **Health & Family Committee of April 19, 2011**
 - i. **Request Approval of the Committee Bylaws; &**

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE OF APRIL

19, 2011 TO SEND THE HEALTH AND FAMILY COMMITTEE BYLAWS TO THE LEGISLATURE FOR CONCURRENCE. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

ii. Request Approval of the Revised Child Support Policies and Procedures.

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE OF APRIL 19, 2011 TO APPROVE THE GUIDELINES AND THE CHANGES TO POLICIES TO #11.0, #13.0, AND #15.0 OF THE CHILD SUPPORT POLICIES AND PROCEDURES WITH CHANGES, AND SEND TO THE LEGISLATURE FOR APPROVAL. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

e) Community Development Committee of April 20, 2011

i. Request Approval of Variance;

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2011 TO GRANT SETBACK VARIANCE REQUEST FOR FORREST PEREZ AS REQUESTED. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

ii. Request Approval of Any Conservation Rules Related to Non-Members;

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2011 TO APPROVE WITH THE USUAL STIPULATIONS FOR PAYING ATTENTION TO ANY KIND OF CONSERVATION RULES, CLEAN UP, AND INSURANCE WITH THE ADDITIONAL RECOMMENDATION TO THE MENOMINEE TRIBAL LEGISLATURE TO RESEARCH THE IMPACT OF PARTICIPANTS IN REGARDS TO ANY RESTRICTIONS PLACED ON NON-TRIBAL MEMBERS. (*REZ RIDERS*) NO SECOND NECESSARY. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 2 ABSTENTIONS (PECORE & O. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator Pecore qualified his abstention as follows: “I think there are some things that we have to have answered for that.”

Legislator O. Waukau qualified his abstention for the record as follows: “it concerns members of my family.”

iii. Request Approval of Dona Beauprey;

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2011 TO APPROVE THE REQUEST FOR DONA BEAUPREY AS SUBMITTED WITH THE USUAL STIPULATIONS ON JUNE 15, 2011 TO JUNE 19, 2011. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

iv. Request Approval for a Legal Opinion on the 10-Day Waiver Provisions; &

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2011 TO SEND ISSUE TO TRIBAL ATTORNEY FOR AN OPINION ON THE PROS AND CONS OF INCLUDING A 10-DAY WAIVER PROVISION FOR ALL SALES IN THIS ORDINANCE. (*PERTAINING TO ORDINANCE NO. 83-5*). NO SECOND NECESSARY. **THE MOTION IS DEFEATED: 0 FOR, 7 OPPOSED (ALEGRIA, BOIVIN, MILLER, PECORE, WARRINGTON, L. WAUKAU, & O. WAUKAU), 1 ABSTENTION (CORN), AND 0 ABSENT.**

PLEASE NOTE: Legislator Corn qualified his abstention as follows: “I’m not up to speed on this and it’s kind of confusing.”

Legislator Warrington qualified her opposition as follows: “It’s up or down.”

v. Request Approval to Move to Legal.

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF

APRIL 20, 2011 TO MOVE ISSUE TO LEGAL WITH A REQUEST TO EXPEDITE A RESPONSE TO GO TO THE MENOMINEE TRIBAL LEGISLATURE SCHEDULED ON MAY 5, 2011. (*BOY SCOUTS OF ILLINOIS*) NO SECOND NECESSARY. NO SECOND NECESSARY. **THE MOTION IS DEFEATED: 0 FOR, 6 OPPOSED (ALEGRIA, BOIVIN, CORN, PECORE, L. WAUKAU, & WARRINGTON), 2 ABSTENTIONS (MILLER & O. WAUKAU), AND 0 ABSENT.**

PLEASE NOTE: Legislator's Alegria, Boivin, Corn, Pecore, L. Waukau And Warrington did not qualify their oppositions.

Legislator's Miller, And O. Waukau did not qualify their abstentions.

- f) Enforcement and Resource Protection Committee of April 20, 2011
 - i. Request Approval for Treatment of Eurasian Water Milfoil;

MOTION BY CRAIG CORN TO CONCUR WITH THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF APRIL 20, 2011 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE PERMIT FOR HERBICIDE TREATMENT OF EURASIAN WATER MILFOIL FOR LEGEND AND MOSHAWQUIT LAKES. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her vote for the record as follows: *"What's the sense of voting no?"*

Legislator Miller qualified his vote for the record as follows: *"I concur with what Legislator Alegria says, but these invasive species allow to assimilate quicker and they use up all of the oxygen or whatever. It's too bad that we need to treat our waters and it can't treat itself naturally. We heard that same talk when the Menominee Indian Prayer is incorporated or whatever you know, and unfortunately there is no solution."*

- ii. Request Approval for Treatment of Curly Leaf Pondweed;

MOTION BY CRAIG CORN to concur with the Enforcement and Resource Protection Committee of April 20, 2011 to recommend to the Legislature for approval for herbicide treatment for Curly Leaf Pondweed on Legend Lake. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (ALEGRIA), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her opposition as follows: *"Right now across the country there is a sacred water walk being held, and they're walking from all four corners of the country. The main purpose is to be against chemical use, especially purifying the water. These native people are trying to purify the waters with the power of prayer, awareness, culture, and ceremonies. Now we're approving chemicals including 2,4-D as navigate with no follow up after checking for the impacts, dead fish, frogs, wild life, etc."*

- iii. Request Approval to Sign Agreement; &

MOTION BY CRAIG CORN TO CONCUR WITH THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF APRIL 20, 2011 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO APPROVE THE SIGNING THE AGREEMENT WITH U. S. FISH AND WILDLIFE SERVICE TO INCLUDE THE MENOMINEE INDIAN TRIBE OF WISCONSIN'S PORTION OF THE EFFECTIVE WETLAND BEING TREATED FOR WEED CANARY GRASS IN THIS STATION. NO SECOND NECESSARY. THE MOTION IS CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (ALEGRIA), AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her abstention as follows: *"approving motions and resolutions that we essentially kill each other our native people with these hazardous chemicals."*

- iv. Request Approval of Next of Kin Notification Policy.

MOTION BY CRAIG CORN TO CONCUR WITH THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF APRIL 20, 2011 TO SEND THE MENOMINEE TRIBAL POLICE DEPARTMENT NEXT OF KIN NOTIFICATION POLICY #02-15 (*NEXT OF KIN NOTIFICATION*) TO THE MENOMINEE TRIBAL LEGISLATURE. NO SECOND NECESSARY.

PLEASE NOTE: *This motion was withdrawn.*

- g) Menominee Indian Economic Development Authority of April 21, 2011
 - i. Request Approval to Send MIEDA Chairman to Attend Conference.

MOTION BY BRUCE PECORE TO CONCUR WITH THE MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY OF APRIL 21, 2011 TO SEND M.I.E.D.A. CHAIRMAN BRUCE PECORE TO THE GROWING YOUR BUSINESS WITH FEDERAL SALES CONFERENCE ON MAY 3, 2011 IN MILWAUKEE, WI, AND EXPENSES WOULD COME OUT OF THE M.I.E.D.A. BUDGET (CONFERENCE COST, MILEAGE, AND TIME ON TASK). NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- h) Governmental Affairs Committee of April 26, 2011
 - i. Request Approval of Bylaws;

MOTION BY LAURIE BOIVIN TO CONCUR WITH THE GOVERNMENTAL AFFAIRS COMMITTEE OF APRIL 26, 2011 TO RECOMMEND TO THE LEGISLATURE TO REMOVE THE WORDING “ALL MEETINGS WILL END BY 6:00 P.M.” FROM THE GOVERNMENTAL AFFAIRS COMMITTEE’S BYLAWS. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- ii. Request Six-Month Extension on Healthy Tax Issue; &

MOTION BY LAURIE BOIVIN TO CONCUR WITH THE GOVERNMENTAL AFFAIRS COMMITTEE OF APRIL 26, 2011 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE THAT THE COMMITTEE IS PROVIDED A SIX-MONTH EXTENSION PERTAINING TO THE MTL MOTION DATED MARCH 3, 2011 REQUESTING THAT THE GOVERNMENTAL AFFAIRS COMMITTEE REVIEW THE HEALTHY TAX ISSUE. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- iii. Request Approval to Change Ordinance Process from the Legislative Rules of Procedure.

MOTION BY LAURIE BOIVIN TO CONCUR WITH THE GOVERNMENTAL AFFAIRS COMMITTEE OF APRIL 26, 2011 TO RECOMMEND TO THE LEGISLATURE TO REMOVE THE ORIGINAL COPY FROM ANY ORDINANCE PROCESS FROM THE LEGISLATIVE RULES OF PROCEDURE AND ONLY PROVIDE THE MARKUP COPY. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

31. Legislative Goals.

The Legislature updated each other and reported on the status of the goals assigned to them. No action was required.

- 32. As per LRP 5.03 – EXECUTIVE SESSION:** (A) Legal – 1) Follow – Up to the Spirit Club Cash Receipts Audit; 2) Follow – Up to the Historic Preservation Program Audit; 3) Approval of the 1ST Quarter for 2011 Credit Card Report; 4) FMP Updates; 5) 638 Contracts; 6) MEI Update; & 7) Approval of Joseph A. Strohl Contract; (B) Personnel; & (C) Gaming – 1) Kenosha Project Update; & 2) MIGA Board Updates.

MOTION BY LISA WAUKAU TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

*****EXECUTIVE SESSION WAS NOT RECORDED*****

MOTION BY DAVID MILLER TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY DAVID MILLER TO RECESS EXECUTIVE SESSION UNTIL MAY 12, 2011 AT 5:00 P.M. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

(A) Legal

1) Follow – Up to the Spirit Club Cash Receipts Audit;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

2) Follow – Up to the Historic Preservation Program Audit;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

3) Approval of the 1ST Quarter for 2011 Credit Card Report;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

4) FMP Updates;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

5) 638 Contracts;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

6) MEI Update; &

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

7) Approval of Joseph A. Strohl Contract;

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

(B) Personnel; &

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

(C) Gaming

1) Kenosha Project Update; &

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

2) MIGA Board Updates.

This issue will be addressed at the recessed meeting on May 12, 2011 in Executive Session.

33. Adjournment.

The Legislature is recessed until May 12, 2011 at 5:00 P.M.

Meeting recessed at 10:47 P.M.

Respectfully submitted by;



Debra A. Bowman, Recorder/Transcriber
EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE